

110TH CONGRESS
2D SESSION

S. 3657

To provide additional respite care for spouses of members of the Armed Forces who deploy overseas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 17), 2008

Mr. BAUCUS introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide additional respite care for spouses of members of the Armed Forces who deploy overseas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Child Care
5 Act of 2008”.

6 **SEC. 2. RESPITE CARE FOR SPOUSES, CAREGIVERS, AND**
7 **SURVIVORS OF MEMBERS OF THE ARMED**
8 **FORCES DEPLOYING TO COMBAT ZONES.**

9 (a) IN GENERAL.—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary of Defense

1 shall issue guidance to ensure access to, and affordability
2 of, respite care as follows:

3 (1) For spouses of members of the Armed
4 Forces deployed to a combat zone, and for caregivers
5 with respect to such members, respite care in caring
6 for children of such members under the age of 13
7 throughout the period of such member's deployment
8 to a combat zone.

9 (2) For survivors of members of the Armed
10 Forces deployed to a combat zone who are killed
11 during such deployment, respite care in caring for
12 children of such members until such children reach
13 the age of 13.

14 (b) ACCESS.—For purposes of subsection (a), a
15 spouse, caregiver, or survivor of a member described in
16 that subsection shall be treated as having access to respite
17 care for the time applicable under that subsection if—

18 (1) access to high-quality respite care is avail-
19 able at the child development program at the perma-
20 nent duty station of the member concerned during
21 the entirety of such time;

22 (2) in the event access is not available as de-
23 scribed in paragraph (1), or the spouse, caregiver, or
24 survivor does not reside on a military installation,
25 access is provided (whether by payment or reim-

1 bursement) to high-quality respite care from a non-
2 Department of Defense source approved by the Sec-
3 retary for purposes of this section during the en-
4 tirety of such time; or

5 (3) access to high-quality respite care through-
6 out such period is achieved by a combination of the
7 mechanisms described in paragraphs (1) and (2).

8 (c) REPORT.—Not later than 180 days after the date
9 of the enactment of this Act, the Secretary shall submit
10 to Congress a report on this section, The report shall in-
11 clude the following:

12 (1) A description of the guidance issued under
13 this section, including a description of the manner in
14 which respite care will be provided under this section
15 regardless of whether the spouses, caregivers, or sur-
16 vivors concerned reside on or off a military installa-
17 tion.

18 (2) Such recommendations as the Secretary
19 considers appropriate for legislative or administra-
20 tive action to improve access to and affordability of
21 high-quality respite care for spouses of members of
22 the Armed Forces described in subsection (a) in car-
23 ing for children of such members under the age of
24 13 throughout the time applicable under that sub-
25 section.

- 1 (d) CAREGIVER DEFINED.—In this section, the term
2 “caregiver” means an individual who—
3 (1) is at least 18 years of age;
4 (2) is capable of self care; and
5 (3) is capable of care of children under the age
6 of 13.

